

St. Louis Post-Dispatch
Thursday, December 27, 2001

METRO

Court Keeps Judge From Distributing Funds To Legal Aid Groups; Nixon Is Challenging His Authority To Spend Up To \$750,000

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The Missouri Court of Appeals in St. Louis has blocked a judge's proposal to give as much as \$750,000 to organizations that provide legal services for the poor.

Attorney General Jay Nixon sought the order, which was granted Wednesday on an emergency basis. Nixon wanted to prevent Cole County Circuit Judge Thomas Brown III from distributing the funds as early as today.

Nixon's office is challenging Brown's authority to spend the money. An Osage County judge who heard the dispute sided with Brown in September, but Nixon is appealing that decision. Wednesday's action bars Brown from transferring the money until the appeals court rules.

The funds are part of about \$2.75 million in interest that accrued in several state cases brought on behalf of consumers. The attorney general contends that the money belongs in the state's unclaimed property fund.

Brown decided last week to designate some of the money for four legal aid organizations, including the St. Louis-based Legal Services of Eastern Missouri.

Nixon's spokeswoman, Mary Still, said the emergency order "was needed to keep the money in safekeeping, so it could be distributed to its rightful owners." While legal aid is a worthy cause, Nixon "doesn't believe the judge has legal authority to give the money to that cause," she said.

Brown's attorney, Dale Doerhoff, said Wednesday's action was unnecessary because Brown never intended to distribute the money until all legal questions about his authority were resolved.

The money is left over from cases involving utility bill overpayments and an insurance company insolvency. Brown and Cole County Circuit Judge Byron Kinder used some of the money to remodel the Cole County Courthouse and to pay additional salaries to courthouse secretaries.